

Notice of Allowability

Application No.

09/728,538

Examiner

Jon Chang

Applicant(s)

REINTJES ET AL.

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to submissions received 12/6/04 and 12/30/04.
2. ☒ The allowed claim(s) is/are 1-36.
3. ☒ The drawings filed on 01 December 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Jon Chang
Primary Examiner

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on December 30, 2004 has been entered.

Response to Applicants' Amendment and Arguments

2. The amendment filed December 6, 2004 has been entered and made of record. Claims 1-3, 14-17 and 27 have been amended. Claims 1-36 are pending. Applicants' arguments, see pages 23-28, filed December 6, 2004, with respect to claims 1 and 15 (as well as the claims which depend from them) have been fully considered and are persuasive. The rejections under 35 U.S.C. 112, first and second paragraphs made in the Office Action mailed June 30, 2004, have been withdrawn. The Examiner also notes that the patent to Rom is no longer applicable in a rejection of the claims in view of the amendment.

The Examiner would like to make one clarification regarding Applicants' arguments in the last full paragraph of page 26. Applicants correctly point out that Rom creates a bitmap image of data entered in a physical form. However, this pertains only to the embodiments of figures 1 and 3. Paragraph [0017] describe another embodiment

which utilizes a "special pen capable of digitally recording graphic information". In this case, "Neither the form nor the form image is utilized" in Rom's own words.

Examiner's Amendment

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jose Gutman (Reg. No.35,171) on February 8, 2005.

The application has been amended as follows:

In the claims:

In claim 13, at line 7, insert before "selecting", insert --means for--.

In claim 15, at line 14, remove "system" and replace with --method--.

In claim 19, at line 6, remove "system" and replace with --method--.

In claim 28, at line 15, remove "has" and replace with --results in--;

In claim 28, at line 15, after "pixels", insert --between the pen stroke data and the electronic image of the form--.

Reasons for Allowance

4. The following is an examiner's statement of reasons for allowance:

In claim 1, the form selections means selects the best match of the location information of the pen stroke data, indicating the location on the form where the pen stroke data was entered, with automatically determined location of a data entry field boundary of each of at least one data entry field in an electronic bit image of at least one form. These features, in combination with the other limitations of the claim, are neither disclosed nor suggested by the prior art of record. Claims 2, 3 and 14 depend from claim 1.

In claim 4, the form selection means further comprises means to calculate a data bounding box, means to calculate a field bounding box, means to compare the distances between corners of the data and field bounding boxes, and means to select the electronic image of the form which has the minimum distances between corners of the data and field bounding boxes. These features, in combination with the other limitations of the claim, are neither disclosed nor suggested by the prior art of record. Claims 5-13 depend from claim 4.

Claim 15 recites features similar to those discussed above for claim 1. Claims 16, 17 and 27 depend from claim 15.

Claim 18 recites features similar to those discussed above for claim 4. Claims 19-26 depend from claim 18.

In claim 28, the method compares the binary bitmap of data from the pen stroke data with a binary bitmap of each page of an electronic image of a form, wherein the input fields of the electronic image of the form have no pixels and the non-input fields of the forms have pixels, and selects the best match between the pen stroke data and the

electronic image of the form by identify the form page that results in the least number of overlapping pixels between the pen stroke data and the electronic image of the form. These features, in combination with the other limitations of the claim, are neither disclosed nor suggested by the prior art of record.

In claim 29, the isolating, matching and selecting steps, as recited, are neither disclosed nor suggested by the prior art of record. Claims 30-36 depend from claim 29.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

References Cited

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 6,782,144 to Bellavita et al. teaches scans a document imprinted with data, capturing an image of it. The scanned input document image is compared with stored forms having stored data field descriptors. A stored form is selected and data extracted from the document.


Contact Information

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jon Chang whose telephone number is (703)305-8439. The examiner can normally be reached on M-F 8:00 a.m.-6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au can be reached on (703)308-6604. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jon Chang
Primary Examiner
Art Unit 2623

Jon Chang
February 15, 2005